



Entered on Docket
October 02, 2009

A handwritten signature in black ink, appearing to read "Hon. Mike K. Nakagawa".

Hon. Mike K. Nakagawa
United States Bankruptcy Judge

WILDE & ASSOCIATES

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HSBC Bank USA, National Association, as Trustee for Wells Fargo Asset Securities Corporation Home Equity Asset Backed Certificate Series 2006-3

09-75472 / 0156450363

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In Re:

Daniel Diaz and Gisela Elizabeth Diaz

BK-S-08-20447-mkn

MS Motion No.
Date 9/30/09
Time: 1:30 P.M.

Chapter 13

Debtors.

ORDER RE ADEQUATE PROTECTION

Secured Creditor's Motion for Relief from the Automatic Stay having come on for hearing in the above-entitled Court, all appearances as noted on court record, and based upon all the papers and pleadings on file herein and good cause appearing therefor,

1 IT IS HEREBY ORDERED, ADJUDGED and DECREED that the debtor will cure the post-
 2 petition arrearages currently due as follows:

3 Monthly Payments at \$1,633.51 (July 1, 2009 – September 1, 2009)	\$ 4,900.53
4 2 Late Charges at \$69.38 each (July 16, 2009 – August 16, 2009)	\$ 138.76
5 Motion Filing Fee	\$ 150.00
6 Attorneys Fees	\$ 750.00
7 Less suspnsn Total Arrearages	<u>-\$ 55.96</u> \$ 5,883.33

8 The above arrearages shall be paid in five (5) monthly installments of \$980.56 and one (1) final
 9 monthly installment of \$980.53. These payments shall be in addition to the regular monthly payment and
 10 shall be due on or before the 20th day of the month commencing with the September 20, 2009 payment
 11 and continuing throughout and concluding on or before February 20, 2010.

12 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall give
 13 Debtors and Trustee at least five business days' notice of the time, place and date of sale.

14 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Debtor shall resume and
 15 maintain the regular monthly payments in a timely fashion, outside of any Bankruptcy Plan, beginning
 16 with the October 1, 2009 payment, on Secured Creditor's Trust obligation, encumbering the subject
 17 Property, generally described as 6226 Eliza Ln. , N. Las Vegas, NV 89031, and legally described as
 18 follows:

19 LOT TWENTY- ONE (21) IN BLOCK ONE(1) OF RANCHO BUENA VISTA - PHASE 3. AS
 20 SHOWN BY MAP THEREOF ON FILE IN BOOK 80, OF PLATS, PAGE 16, IN THE OFFICE OF
 THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

21 FOR INFORMATIONAL PURPOSES ONLY: THE APN IS SHOWN BY THE COUNTY ASSESSOR
 AS 124-27-112-021; SOURCE OF TITLE IS BOOK 980305, PAGE 01264 (RECORDED 3/5/1998

22 IT IS FURTHER ORDERED, ADJUDGED and DECREED that if the Debtors fail to make any
 23 payments as stated in this Order, or fail to maintain the regular monthly payments on Secured Creditor's
 24 Trust Deed obligation, allowing the normal grace period, then Secured Creditor may file and serve upon
 25 Debtors and Debtors' counsel, a fifteen (15) Day Notice Declaration Re Breach of Condition. For each
 26 such Declaration Re Breach of Condition filed, there shall be assessed an attorney fees of \$100.00, to be

1 paid by the Debtors upon any reinstatement. If upon the sixteenth (16th) day, Debtors have failed to cure
2 the delinquency, then Secured Creditor may submit to this Court an Order vacating the automatic stay as to
3 Secured Creditor, and Secured Creditor may thereafter proceed with foreclosure proceedings upon the
4 subject Property, pursuant to applicable State Law, and take any action necessary to obtain complete
5 possession thereof.

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7 Submitted by:

8 WILDE & ASSOCIATES

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By G. Wilde #10235

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14 APPROVED AS TO FORM & CONTENT:

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Rick A. Yarnall

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By Moot 9-25-09

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Rick A. Yarnall

Chapter 13 Trustee
701 Bridger Avenue #820
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Laura L. Fritz

16 By Laura L. Fritz

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